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6 - and -

7 All the parties listed on the signature page

8  
9 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

10  
11 Jacquita King,

CASE NO. 2:19-cv-01462-JCM-VCF

12 Plaintiff,

13 vs.

14 Medical Data Systems, Inc.,

15 Defendant.  
16

17 **JOINT REPORT FROM RULE 26(f) CONFERENCE AND DISCOVERY PLAN**  
18 **SUBMITTED IN COMPLIANCE WITH LR 26-1(e)**

19 COMES NOW, Jacquita King, by and through her attorney of record, Francis Arenas,  
20 Esq., and Defendant Medical Data Systems, Inc., by and through their attorneys of record, Jorge  
21 A. Ramirez, Esq. and Jonathan C. Pattillo, Esq., of the law firm, Wilson, Elser, Moskowitz,  
22 Edelman & Dicker LLP, and in compliance with LR 26-1(e), submit the following Stipulated  
23 Discovery Plan and Scheduling Order.  
24

25 Pursuant to Federal Rule of Civil Procedure 26 and LR 26-1(e), Plaintiffs and Defendants  
26 conferred by telephone conference on February 27, 2020. Counsel discussed the nature of the  
27 case, the potential for settlement, initial disclosures, the case schedule, and the Parties' respective  
28

1 views on a discovery plan. During and following the conference, the Parties worked together to  
2 prepare the following discovery plan. The Parties' positions are outlined below, including  
3 agreements and disagreements.

4 **(A) Rule 26(a) Disclosures FRCP 26(f)(3)(A)**

5 **What changes should be made in the timing, form, or requirement for disclosures under**  
6 **Rule 26(a), including a statement of when initial disclosures were made or will be made?**  
7

8 The parties agree that no changes should be made in timing, form, or requirement for  
9 disclosures under Rule 26(a). The parties will exchange their Rule 26(a) disclosures on or before  
10 March 27, 2020.

11 **(B) Anticipated Scope of Discovery FRCP 26(f)(3)(B)**

12 **What are the subjects on which discovery may be needed, when should discovery be**  
13 **completed, and should discovery be conducted in phases or be limited to or focused on**  
14 **particular issues?**  
15

16 Discovery will be needed on all allegations, claims, theories of liability, damages and  
17 affirmative defenses raised in the Complaint and Answers. The parties do not believe that  
18 discovery should be conducted in phases, limited to or focused on particular issues.

19 The parties request 180 days to complete discovery in this case. In turn, this serves the  
20 interest of judicial economy as it provides for the narrowing of issues and litigants before the Court.

21 Pursuant to Local Rule 26-1(e), discovery in this action can be completed within 180 days  
22 from the date the Defendants answered or otherwise plead.  
23

24 **(C) Electronically Stored Information FRCP 26(f)(3)(C)**

25 **Are there any issues about disclosure, discovery, or preservation of electronically stored**  
26 **information and in what form or forms should it be produced?**  
27

28 There are no issues about disclosure, discovery or preservation of electronically stored

1 information and such data like text, images and metadata, if requested, should be produced in its  
2 ordinary and usual form, or the form it is frequently accessed in.

3 **(D) Privilege Issues FRCP 26(f)(3)(D)**

4 **Are there any issues about claims or privilege or of protection as trial-preparation**  
5 **materials? Did the parties agree on a procedure to assert these claims after production?**  
6 **Are the parties asking the court to include their agreement in an order under Federal Rule**  
7 **of Evidence 502?**

8  
9 The parties do not anticipate any issues about claims or privilege or of protection as trial-  
10 preparation material. The parties will assert the claims as they arise, and the parties are not now  
11 requesting the court to include any agreements in an order.

12 **(E) Changes to Discovery Limitations FRCP 26(f)(3)(E)**

13 **What changes should be made in the limitations on discovery imposed under the Federal**  
14 **Rules of Civil Procedure or by local rule, and what other limitations should be imposed?**

15  
16 The parties are not requesting any changes be made in the limitations on discovery  
17 imposed under the federal rules, or by local rule.

18 **(F) Other Discovery & Scheduling Orders FRCP 26(f)(3)(F)**

19 **Are there any other orders that the court should issue under Rule 26 (c) or under Rule 16**  
20 **(b) and (c)?**

21  
22 At this time, the parties are not requesting any additional orders be issued.

23 **DISTRICT OF NEVADA LR 26-1 (b)**

24 **Discovery Cut Off:**

25 5/15/2020 (180 Days from first answer)

26 **Date First Defendant Answered:**

27 11/12/2019  
28

**Number of days required for discovery from Date First Defendant Answered:**

180

**Calendar Date Discovery Closed:**

5/15/2020

**Deadline for Filing Motions to Amend Pleadings/Parties (90 days before close of discovery):**

2/14/2020

**Initial Expert Disclosures (60 days before cutoff):**

3/13/2020

**Rebuttal Expert Disclosures (30 days after initial):**

4/17/2020

**Dispositive Motions Deadline (30 days after discovery cut off):**

6/19/2020

**Joint Pretrial Order Deadline (30 days after dispositive motion deadline):**

If dispositive motions are filed, the deadline for filing the joint pretrial order will be  
7/24/2020 suspended until 30 days after decision on the dispositive motions or further court order.

**Alternative Dispute Resolution:** The parties certify that they met and conferred about the possibility of using alternative-dispute resolution processes including mediation, arbitration, and early neutral evaluation.

**Alternative Forms of Case Disposition:** The parties certify that they considered consent to trial by a magistrate judge under 28 U.S.C. 636 (c) and FRCP 73, and the use of the Short Trial Program (General Order 2013-01):

**Electronic Evidence for Jury Demands:** The parties certify they discussed whether they intend to present evidence in electronic format to jurors and any stipulations.

1  
2 DATED: 19<sup>th</sup> day of March 2020.

3 LAW OFFICE OF FRANCIS ARENAS  
4

5  
6 /s/ Francis Arenas  
7 Francis Arenas, Esq.  
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11 Attorneys for Plaintiff

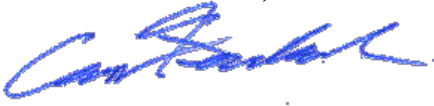
DATED: 19<sup>th</sup> day of March 2020.

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP

/s/ Jonathan C. Pattillo  
Jorge A. Ramirez, Esq.  
Nevada Bar No. 6787  
Jonathan C. Pattillo, Esq.  
Nevada Bar No. 13929  
300 South Fourth Street, 11<sup>th</sup> Floor  
Las Vegas, Nevada 89101  
Attorneys for Defendant

12 **ORDER**

13  
14 **IT IS SO ORDERED,**

15   
16 \_\_\_\_\_  
17 United States Magistrate Judge

18 **Dated this 19th of March, 2020.**  
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